

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JOSHUA ADAM SCHULTE,

Defendant.

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17-CR-548 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On April 1, 2022, Defendant submitted a letter motion raising fifteen or more discrete issues, lettered A through O. *See* ECF No. 752. The Court orders as follows:

- Defendant's requests in Items A, B, and D of his letter are DENIED as meritless and/or untimely. Among other things, each request relates to events that occurred well over a month ago and before the Court's last status conference on February 14, 2022. Defendant states that he was prevented from filing a letter regarding these issues prior to the last conference, but he provides no explanation for why he did not raise them at the last conference or in the intervening weeks, when he has made many other filings.
- Defendant's clarification in Item C is duly noted.
- In Item E, Defendant moves for reconsideration of the Court's February 8, 2022 Order denying him leave to file a motion to suppress the March 16, 2017 search warrant, *see* ECF No. 701. Defendant provides no valid basis for reconsideration. That said, to the extent that Defendant is concerned about whether he has preserved the issue for appellate review, and mindful that the Court's denial of leave to file the motion was based on its determination that there would be no merit to such a motion, the Court is prepared to deem the motion made and denied. If the Government has any objection to that approach, it shall advise the Court at the April 13, 2022 pretrial conference.
- The Government is ordered to respond to the issues raised by Defendant in Items F, H.1, H.2, and K no later than **April 11, 2022**. With respect to Items H.1 and H.2, the Government shall contact the MDC to determine whether Defendant has been denied calls with standby counsel, and if so, the reason.
- Defendant's request in items G and I are DENIED. As to Item G, the Court declines to second guess the U.S. Marshal Service's standard security protocols for detainees.

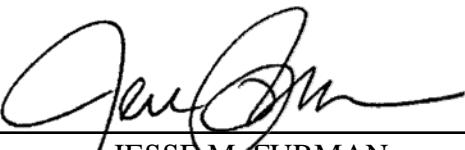
- In Item H.3, Defendant raises an issue related to his conditions of confinement. All such issues must be raised “in the district of confinement, which, here, is in the Eastern District of New York.” ECF No. 663 at 58. Accordingly, that request is DENIED.
- Defendant’s request in Item J is DENIED. The conference will not be rescheduled.
- The Court will address Items L, M, and N at the April 13, 2022 pretrial conference.
- Defendant’s request in Item O is GRANTED in part. Defendant’s deadline to oppose the Government’s CIPA Section 6(a) motion is hereby EXTENDED to **April 22, 2022**.

Finally, the Government has yet to provide the Court with a classification-reviewed version of its Omnibus Opposition Memorandum filed February 25, 2022. *See* ECF No. 720. The Government shall promptly provide the Court with an update on the status of this document (if not the post-review version). The Government is also reminded that if the classification authority is unable to meet the deadlines for review set out in the Amended Protective Order, *see* ECF No. 739 ¶ 25, the Government must seek an extension of the deadline from the Court **before** the deadline has passed.

The Clerk of Court is directed to terminate ECF No. 752.

SO ORDERED.

Dated: April 7, 2022
New York, New York



JESSE M. FURMAN
United States District Judge